

In the claims:

1. (currently amended) Apparatus for use by a wireless device in a wireless communications environment including multiple access points and stations, wherein stations gain network access by associating with one of the access points, comprising:

logic for associating the wireless device with a current access point on one channel;

logic for ascertaining, by the wireless device, whether the wireless device should attempt to associate with an alternative access point operating on an alternative channel, the ascertaining logic operating at least in-part on an indication ~~indications~~ of an amount by which signal strengths of transmissions from the ~~current and~~ alternative access point has been reduced by that alternative access point points;

logic for requesting association with the alternative access point operating on the alternative channel if it is ascertained that the wireless device should attempt to associate with said alternative access point; and

logic operative to backoff transmission power relative to maximum transmission power by an amount indicated by the alternative access point if the alternative access point indicates that the wireless device can become associated with the alternative access point.

2. (currently amended) The apparatus of claim 1 further comprising: logic for automatically collecting , by the wireless device, information about alternative access points operating on alternative channels including the amount by which signal strengths of transmissions from those alternative access points has been reduced by those access points.

3. (currently amended) The apparatus of claim 2 wherein the logic for ascertaining ascertains that

the wireless device should attempt to associate with the alternative access point operating on said alternative channel if the alternative access point on said alternative channel is calculated to be capable of providing better service closer than the current access point in terms of a biased distance calculated as a function of distance, data rate and loading, where distance is calculated from signal strength and the amount by which signal strength of transmissions from the current and alternative access points has been reduced by those access points, and where data rate is calculated as a function of signal strength and technology mode.

4. (currently amended) The apparatus of claim 3 wherein the logic for ascertaining ascertains that the alternative access point on said alternative channel is closer, in terms of biased distance, than the current access point by:

calculating a first biased distance between the wireless device and the current access point based on "x" samples, where "x" is a real number;

calculating a second biased distance between the wireless device and the alternative access point based on "y" samples where "y" is less than "x" and "y" is a real number; and

ascertaining that the alternative access point is closer than the current access point if the second biased distance is less than the first biased distance.

5. (previously presented) The apparatus of claim 3 wherein the logic for requesting association requests association by sending a message to the alternative access point operating on said alternative channel.